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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	
Ronald A. KATZ	Group Art Unit: 2643
Serial No.: 08/407,064	Examiner: S. Woo
Filed: March 20, 1995	
For: VIDEOPHONE SYSTEM FOR SCRUTINY MONITORING WITH COMPUTER CONTROL	

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APPELLANT'S REPLY BRIEF

Appellant hereby replies to the points made in Examiner's Answer mailed April 9, 2002, in accordance with 37 C.F.R. § 1.193(b)(1).

I. GENERAL COMMENT

A major issue of the Appeal turns on the reading of the primary reference "Vision by telephone" ("*Vision*," herein), a British publication. The system described in the reference was "designed for 60 separate remote sites" (page 1, col. 3, ¶ 2). The remote sites, "each with several surveillance cameras," e.g., ten (page 1, col. 2, ¶ 2).

It is important to recognize that the *Vision* system as described, does not actively monitor the 60 remote sites. Rather, each individual site is observed only: (1) upon the manual entry of "a two digit number keyed into the base station" (page 2, col. 1, ¶ 2), while the system is in the "surveillance" mode (outgoing), or (2) when an "alarm sensor" triggers an "associated camera" (page 2, col. 1, ¶ 4) while the system is in the "alarm" mode (incoming).

Once a site is observed, the sequential displays are from successive cameras at the individual location, (not displays in sequence from the 60 remote sites, but in sequence of displays from the ten local cameras). This structure and its operation in *Vision* are an important key to Appellant's position.

II. SUMMARY OF THE INVENTION
(Examiner's Answer Paragraph 5)

Examiner's Answer (EA herein) contends that the Summary of Appellant's Brief should correspond to the "Summary of the Invention" in the specification

(pages 3-5). Appellant's understanding of 37 C.F.R. § 1.192(c)(5) is to the contrary.

The specification "Summary," drafted when the application was filed, is deemed to be primarily related to the purpose of "any person...to make and use" (35 U.S.C. 112) in accordance with 37 C.F.R. 1.51(a)(1).

On the contrary, the "Summary" in an appeal brief is deemed to be primarily for facilitating an understanding of the "claims involved in the appeal" (37 C.F.R. 1.192(c)(5)).

The functions and forms of the two summaries are distinct. Appellant contends that the summary in the appeal brief is proper and appropriate.

III. ISSUES

(Examiner's Answer Paragraph 6)

Regarding the first four Issues (A - D), Appellant does not contest dropping the clause "...stand improperly rejected" from the ultimate issues as stated.

Regarding the factual issues (E - I), Appellant persists in the assertion that resolving these issues is basic to the ultimate issues of patentability.

IV. GROUNDS OF REJECTION
(Examiner's Answer Paragraph 10).

A. *Vision*

The characterization of *Vision* in the EA is misleading. Specifically:

1. *Vision* never "provides a sequence of remote location displays..." (claim 34);

2. *Vision* does not have a "...usual surveillance sequence..." (Examiner's Answer, page 5, line 1);

3. *Vision* does not "...interrupt said sequence" (sequence of remote location displays) (claim 34).

In a careful reading, *Vision* (page 2, col. 1, ¶ 2), reveals a system that provides a series of displays from each succeeding camera at an active location – not "...a sequence of remote location displays..." (claim 34).

Vision sequences are of displays from different cameras at one remote site, over a single dial-up connection – there is no sequence of dial-ups to provide a sequence of displays from remote locations.

Vision is a quiescent system in either of its two distinct operating modes. In the "surveillance" mode (outgoing, the system waits for a two-digit number to command dialing up a specific remote station. In the "alarm" mode (incoming), the system waits for an alarm signal from a remote location. In either case, when activated, a sequence of displays is provided from the single active remote location

that is involved, not sequentially from the "..60 separate remote sites...of the system." (page 1, col. 3).

Vision states: "In its alarm mode the surveillance unit assumes priority." (page 2, col. 1, ¶ 4). The sentence is interpreted to mean that when the system is in the "alarm" mode, keying a two-digit number into the base station is ineffective.

The distinctions from *Vision* that are recognized in the EA are incomplete as explained above. That is, not only does *Vision* not "explicitly provide for the auto-dialing operation being activated under control of a programmed computer" (EA page 5, ¶ 2) it does not teach several other aspects of Appellant's claims. As explained above, *Vision* does not "provide a sequence of remote location displays" (e.g. claim 34). Nor does it have "programmed intervals, showing a scene and graphic data of the plurality of scrutiny locations" (remote) (e.g., claim 34). *Vision* does not "interrupt said sequence" (e.g. claim 34).

B. *Yamaguchi*

The Examiner's Amendment seeks to tell voids within *Vision* with disclosure from the patent references referred to herein as "*Yamaguchi*" and "*Laycock*," and ultimately "*Thompson*." It is contended that *Yamaguchi* teaches using a computer to perform "timer-activated operations" (EA page 5, ¶ 2) in a video surveillance system.

The fatal defect in the contention stated in the EA is that *Yamaguchi* does not disclose "auto-dialing." Rather, *Yamaguchi* is merely a computer-controlled switch for sequencing signals from a group of available terminals.

The *Yamaguchi* system operates to sequence video signals from many sources so that they appear at output terminals 4a and 4b (*Yamaguchi* col. 5, lines 11-24). The reference suggests connecting a monitor to the terminals 4a and 4b to observe a sequential display. However, neither the system nor the display, involve telephone apparatus. Furthermore, the displays are not from remote locations, for example, in the case of *Vision*, one location from a possible number of sixty.

Like *Vision*, *Yamaguchi* provides sequences from a single remote site. On the contrary, Appellant's system provides a "sequence of remote location displays" (e.g., claim 34 – emphasis added), using a telephonic interface apparatus.

Incorporating *Yamaguchi* with *Vision* would place the *Yamaguchi* structure at each of the 60 remote locations to sequence the 10 cameras. Why? Because *Yamaguchi* needs available on-location signals. That is, neither *Vision* nor *Yamaguchi* has or suggests the capability to telephonically "provide a sequence of remote location displays" (e.g., claim 34). The asserted combination again would provide displays from a single remote location.

C. *Laycock*

Incorporating *Laycock* with *Vision* would also result in a combination that, at best, would result in a totally defective system, such system would not suggest Appellant's system, again, based on the lack of the sequential dial-up of remote locations.

D. *Thompson*

Here, as with *Fuller*, there is no basis for a combination. *Thompson*'s use of ANI signals to fetch a map for individual calls is far afield from the multiple location security system claimed by Appellant (e.g., claim 40)

V. RESPONSE TO ARGUMENT
(Examiner's Answer Paragraph 11)

With respect to *Vision*, the EA erroneously asserts that: "...the central base station monitors a plurality of remote sites, for example 60 separate remote sites...by sequentially auto-dialing each of the 60 locations and displaying images captured by each camera for each remote site..." (citations deleted) (EA page 9, ¶ 2).

As indicated above in the General Comment, this factual issue is a major key to the resolution of this appeal. Consider certain basic aspects of *Vision* leading to a clear conclusion.

As an example, *Vision* discloses 60 separate remote sites with up to 10 video cameras at each site (*Vision*, page 1, col. 3, ¶¶ 2,3).

A sequential display occurs in both the "surveillance" mode and the "alarm" mode. (*Vision*, page 2, col. 1, ¶¶ 3,4).

However, the sequential display is not from the 60 locations as asserted in the EA. Rather the sequential display is from 10 cameras at the connected active location.

In the "surveillance" mode, keying in a two-digit number dials up a selected remote station (*Vision*, page 2, col. 1, ¶ 2). What happens next is a sequential display from cameras at that location. As specifically stated in *Vision*: "The surveillance units will automatically select the first camera to take its single frame picture which is then transmitted over the line to the monitor in the base station unit. At the same time, the second camera picture is already in store awaiting its turn for transmission and automatically, each succeeding camera will follow in sequence, the cycle continuing until a base station command signal is initiated." (*Vision*, page 2, col. 1, ¶ 2).

As explained, eventually a command signal would serve to "terminate the line transmission (*Vision*, page 2, col. 1, ¶ 2).

In the "alarm" mode, the sequence is the same, i.e., a series of pictures from one active location. Specifically: "...the remaining cameras on site will be sequenced automatically. (*Vision*, page 2, col. 1, ¶ 4).

Essentially, *Vision* is limited to a single telephone line operation in response to either an alarm or a manual entry. There is neither a hint nor suggestion of monitoring a plurality of remote locations. There is no hint of auto-dialing to access remote location displays for sequential observation. There is no hint of displaying images sequentially from remote locations.

The Examiner disagrees with Appellant's position that placing *Yamaguchi*'s switch at the central station is impractical. As a factual matter it is impractical because it would require maintaining open lines to all remote locations, e.g., some 60 open lines. Such lines would be required to provide the inputs for *Yamaguchi*.

It is the auto-dialer operation that is absent from both *Vision* and *Yamaguchi* to accomplish operation to automatically dial a plurality of remote sites to provide the sequential remote location display.

Regarding the rejection of claims 40-45, consider the combination of: *Vision*, *Laycock*, and *Thompson*. Any significance resulting from the addition of *Laycock* to *Vision* escapes Appellant. Both involve incoming calls. Both involve the undisclosed, but state incorporation of graphic data. Both provide displays from a group of cameras located at a facility or site.

Adding *Thompson* to the combination reveals retrieving data for display in the context of a vocal call, however, claim 40 specifies an entirely different system with a distinguishing interface apparatus and control computers for attaining a composite display of scene and graphic data.

VI. CONCLUSION

On the basis of the actual described operations and structures of the applied references, the Final Rejection should be reversed.

Respectfully submitted,

Dated: June 10, 2002

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